

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Santiago Bourbois

Principal

United States Courts

CRIMINAL COMPLAINT

YOB: 1966

United States

Southern District of Texas

FILED

Case Number:

M-17- 2045 -M

11-10-17

David J. Bradley, Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 9, 2017 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(*Track Statutory Language of Offense*)

**knowing or in reckless disregard of the fact that Jose Roblero-Velasquez, a citizen and national of Guatemala, along with one (1) other undocumented alien, for a total of two (2), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit: an apartment located near Mission, Texas**

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY  
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 23, 2017, Border Patrol Agents received information regarding an apartment complex, located at 620 W. 4th Street Apt #1 in Mission, Texas, being used to harbor undocumented aliens.

On November 9, 2017, agents conducted surveillance on the apartment complex and observed a male subject, later identified as Santiago BOURBOIS, a United States Citizen, arrive and enter apartment #2. Shortly thereafter, BOURBOIS was observed by agents escorting two suspected undocumented aliens to apartment #1.

**I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on November 10, 2017.**  
**SEE ATTACHMENT**

Continued on the attached sheet and made a part of this complaint:

**Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:**

Sworn to before me and subscribed in my presence,

November 10, 2017

Date

Dorina Ramos, U. S. Magistrate Judge  
 Name and Title of Judicial Officer

Yes  No

/S/ Julio C. Peña

Signature of Complainant

Julio C. Peña

Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Dorina Ramos

Signature of Judicial Officer

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17- 2045 -M

RE: **Santiago Bourbois**

**CONTINUATION:**

A short time later, BOURBOIS departed the apartment complex and agents proceeded to follow him to a residence in Mission, Texas. As BOURBOIS was exiting the vehicle, agents approached him and identified themselves as Border Patrol Agents. BOURBOIS was questioned about his possible involvement in human smuggling to which BOURBOIS freely admitted to harboring two undocumented aliens at his apartment. BOURBOIS gave verbal and written consent to search apartment #1, apartment #2, and provided keys.

Agents proceeded to the apartments and discovered two subjects in apartment #1. Jose ROBLERO-Velasquez and the additional subject were determined to be illegally present in the United States.

All subjects were placed under arrest and transported to the Centralized Processing Center to be processed accordingly.

**PRINCIPAL STATEMENT:**

Santiago BOURBOIS was read his Miranda Rights. He understood his rights and agreed to provide a sworn statement without the presence of an attorney.

BOURBOIS stated he was hired by a smuggler to harbor undocumented aliens. In turn he would get \$500 (USD) to pay his own apartment rent. He indicated that he has been living in apartment #2 for about a month. BOURBOIS stated that about ten to twelve illegal aliens have been harbored in apartment #1 and #2. He further stated he instructed the illegal aliens where to sleep and told them they could eat whatever they wanted.

**MATERIAL WITNESSES STATEMENT:**

Jose ROBLERO-Velasquez was read his Miranda Rights. He understood his rights and provided a sworn statement without the presence of an attorney.

ROBLERO, a citizen of Guatemala, stated his father made the smuggling arrangements and was to pay a total of \$4,000 (USD). After crossing the river, ROBLERO indicated that he was picked up and eventually transported to the apartment where he was later arrested. Once there, ROBLERO stated that an old man told him where to sleep and that there was food for him. ROBLERO stated the older man moved him to the apartment next door and instructed him not to go outside. ROBLERO identified BOURBOIS through a photo lineup as the old man who was at the apartment giving instructions.